

THREAT TO KILL INFORMERS, GAMBLERS AND PROSECUTOR

out that constitutes a quorum, and if twelve members join in an indictment that is sufficient."

Mr. Whitman, who was personally in charge of the case for his office, protested briefly that all the proceedings had been regular and legal. Judge Mulqueen ordered Mr. Hart to be on hand Wednesday to argue his motion, and Becker, who had stood at the rail during the session, was sent back to the Tombs.

In support of his motion to dismiss the indictment Mr. Hart alleges it was not signed by twelve members of the Grand Jury; it was not indorsed "a true bill"; it was not found by a legally constituted Grand Jury; it was not presented by a duly constituted foreman; all the Grand Jurors were not properly impaneled and sworn for the July term; all the jurors who joined in the indictment did not hear all the testimony, and the court was not lawfully in session when the indictment was received by Judge Mulqueen.

COUNSEL DECLARES EACH STEP ILLEGAL.

The application to inspect the minutes of the Grand Jury covers twenty-four typewritten pages. It is based on the statement that Becker had had no preliminary hearing before a city magistrate and that the evidence produced before the Grand Jury was not legal, owing to the fact that the three witnesses, "Jack" Rose, "Bridge" Webber and Harry Vallon, were accomplices in the alleged crime.

"I further surmise and believe," Mr. Hart states, "that the testimony of each of the three witnesses was confession on their part either of the commission of the crime or connection with the same."

Mr. Hart then goes on to say that all the information he has so far obtained has been gleaned from the daily newspapers. He quotes articles from the various newspapers giving in effect the confession of the three gamblers, and suggests that these confessions stamp them in the eyes of the law as accomplices.

Regarding his inability to obtain any knowledge as to what transpired before the Grand Jury, except the statements printed in the newspapers, Mr. Hart said:

"The paucity and dearth of information such as would satisfy a court concerning what was testified to before the Grand Jury is due to the impossibility of interviewing any of the three witnesses, who are confined in jail, and therefore I have no access to them. If, as I surmise, there was no evidence before the Grand Jury other than that of the three accomplices tending to connect Becker with the commission of the crime, the indictment is void and should be set aside. I believe that this court would grant a motion to dismiss the indictment. An inspection of the Grand Jury minutes is absolutely necessary in order that the defendant may make a motion to dismiss the indictment upon the ground that the evidence did not justify it."

MANY GAMBLERS IN COURT CROWD.

Conspicuous among the spectators were Tenderloin gambling house keepers and gambling house employees. Many of these remained in the building after Becker had returned to his cell in the Tombs. They admitted that they expected to be called upon by the District Attorney for information which is supposed to be in their possession concerning the alleged collection of gambling house graft by police officials.

The interest in the arraignment of Becker was greater than that attending the previous appearances of others in the case. As early as 9 o'clock Franklin street, over which the Bridge of Sighs between the Tombs and the Criminal Courts Building is suspended, was packed from Centre street to Lafayette street with men, boys and women, hoping to get a glimpse of Becker passing from his cell to the courtroom.

Lieut. James Bennett of the Elizabeth street station and a squad of policemen cleared Franklin street and the west side of Centre street between Leonard and White streets. The corridors of the Criminal Courts Building outside the General Sessions Court rooms were also cleared, and only persons having business were admitted to the court where Judge Mulqueen sits.

Fear of the vengeance of members of the gang of which "Whitey" Lewis, "Lefty" Louis, "Gyp the Blood" and "Dago Frank" are members has inspired "Jack" Rose, "Bridge" Webber and Harry Vallon, the three informers, to clamor for a police guard which shall entirely surround them whenever they appear outside of the doors of a jail. Rose announced to-day that he expected to be kept in or near the Criminal Courts Building on the occasion of his arraignment before the Coroner, unless he should be protected by a human wall of bluecoats.

Because of the openly expressed fear of Rose and his companions that they would be killed and partly because of other matters that demand his attention, District Attorney Whitman decided to-day to put off the arraignment of the three informers before Coroner Feltberg this afternoon. This decision was reached after Mr. Whitman had a conference with James M. Sullivan, counsel for Rose. Mr. Sullivan said his client was firmly convinced that an attempt would be made to kill him the moment he appeared outside the West Side prison. It was suggested by Mr. Sullivan that the arraignment of the three prisoners be switched to the West Side court. Mr. Whitman then decided to postpone until Aug. 19 the appearance of Rose, Webber and Vallon before the Coroner.

A letter received by Webber to-day was shown to the District Attorney by Mr. Sullivan. It reads:

"Mr. Webber—in case you have any intention to live a few years more it would be advisable for you to keep your mouth shut. "Don't do like Rose did. He is on our death list. Whether he leaves prison or not he will die before the month is over. He and Frank Moss, Tell Vallon the same thing. You must remember you are involving some high officials and they don't stand for exposure. This crowd," "This is but a sample of scores of threatening letters that have been received by Webber, Rose and Vallon," said Mr. Sullivan.

PILLS SENT TO ROSE ARE SEIZED.

Webber conferred with his attorney, Max J. Steuer, for half an hour to-day. All three of the prisoners were visited by members of their families who brought them food. They refuse to eat anything not prepared by persons in whom they have confidence.

Rose is in a state of utter collapse. He is in bad shape physically, and became very ill Saturday night. His brother, Morris, tried to pass him some pills yesterday, but under orders from Corrections Commissioner Whitney and Deputy Commissioner Wicks, the pills were seized and held until they were subjected to analysis by a chemist.

"Jack is a very sick man," said Morris Rose, after a visit to his brother to-day. "I tried to cheer him up by talking to him about his babies, but just with his head in his hands and wouldn't say a word. He is worrying himself to death and it is foolish to say he hasn't got good reason. Webber and Vallon are also badly worried, but Jack is about all in. I never saw such a change in a man. He knows the desperate character of certain parties he has offended."

In expectation of seeing Rose, Webber and Vallon transferred from West Side prison to the Criminal Courts Building. A big crowd assembled outside the presence of a squad of detectives from the West Sixty-eighth street station. Although the crowd was informed that the plans of the District Attorney had been changed and the three informers would not be brought out, the police were adjointing the prison and police court remained.

TO ARREST SLAYERS.

District Attorney Whitman took the affidavit to-day of a man who charged that two policemen refused to arrest "Gyp the Blood" and Sam Schepps at One Hundred and Forty-third street and Lenox avenue early Sunday morning. The numbers of the policemen were furnished by the man who made the affidavit.

He said he knew both Schepps and Horowitz and saw them standing on the corner talking. He informed a policeman on fixed post, who said he could not leave his station and run the risk of a fine of fifteen days' pay, but advised him to await the arrival of the policeman on patrol post.

When the second policeman reached the scene, according to the affidavit, Horowitz and Schepps were still on the corner in a shadow. The second policeman was told that the two were suspicious and advised to arrest them. He said, according to the affidavit, "Oh, let 'em go to—," and walked away. Then, the affidavit maker says, the fugitives disappeared.

District Attorney Whitman issued subpoenas for the two policemen and one of them appeared at the Criminal Courts Building early this afternoon. He is Michael J. Philbin of the Lenox avenue station, shield No. 4854, the man who was on fixed post when the District Attorney's informant says he pointed out the alleged Schepps and

needed with the department. They are also on the trail of the actual money. Mr. Walter Laidlaw, secretary of the New York Federation of Churches, declares the Federation will support the Board of Aldermen in demanding that carrying out the investigation.

SAM SCHEPPS' MOVEMENTS SINCE THE MURDER.

Sam Schepps, who was in the gray car with Rose when Rose was rounding up the murderers, was at Lake Kiamasha, in Sullivan County, up to two days ago, with Charlie Herbert, a companion of his own kind.

Schepps remained in New York until the morning of July 18. Harry Vallon was then at Big Indian. When Vallon came back to town detectives flocked to the Catskills. When the detective came home Schepps went to Fallburg and afterwards to Lake Kiamasha. He, Herbert and a woman friend stayed there under cover until Lewis was arrested. All are now believed to have taken train for Chicago.

It is also learned that while "Big Jack" Zellig was being looked for here just after the murder, he was arrested in Montreal, Canada, where he was picked up with sixteen other suspected pickpockets. He gave his usual alias of William Albert, and was held in jail from Friday until Monday. From Montreal he is believed to have gone to Boston where several members of the sporting fraternity say they saw him last week. The same acquaintances declare that Lefty Louis was with him.

"WHITNEY" SENTENCED FOR STABBING FELLOW SOLDIER.

Police Commissioner Waldo obtained to-day from the War Department at Washington the history of the service of "Whitey" Lewis as a soldier in the United States army. Lewis was identified by the War Department through finger prints sent from Police Headquarters in this city.

The record shows that "Whitey" enlisted in this city on Oct. 19, 1910, at Fort Bismarck, where he was sent to the Philippines, where, soon after his arrival, he set upon another soldier with a knife and stabbed him in the shoulder.

A court-martial was held and the New York Turk, whose name for soldiering purposes was "Ed" Seiden, was sentenced to six months' confinement on a furlough and sentenced to dishonorable discharge from the service and three months' imprisonment at hard labor. He was dishonorably discharged from the army on March 6, 1911, and immediately sent, in custody, to San Francisco, where he served his prison sentence and was discharged from arrest on June 2, 1911.

BULL MOOSE PARTY NEARLY A FROST AT ITS FIRST SESSION

(Continued from First Page.)

have been choked by the opponent of popular government in the effort to prevent the people from finding out what we stand for. I intend to see that the facts are known and that the people find out what this movement really is, and decide for themselves what their government shall be.

"Those of you who wish to investigate the mortgages of the Chicago Record-Herald, can find why the channels of information have been choked by the opponents of the people."

Col. Roosevelt went to his headquarters, where he said he would remain all day, consulting with the leaders concerning the convention. He said he did not intend to go to the Coliseum to-day. Colonel Roosevelt said with him a party of personal followers, not one-fourth as large as that which charged on Chicago with him when six weeks ago he dashed "unexpectedly" to the Convention City on a schedule actually arranged two months in advance, to "save the Republican party from Taft."

With the Colonels were Mrs. Roosevelt, his secretary, Mr. Harper, stenographer McCarthy, Ernest Abbott, brother of Larry Abbott, leader of the Abbott gang of highbrows, and one or two retainers. Nephew Theodore Douglas Robinson and Senator Alsop got on at Albany.

"We mean to put new business laws on our statute books which will tell American business men what they can do and what they cannot do. The great business reform we must have is to steadily increase American property is to change the method of building our tariffs."

"The tariff must be taken out of politics and treated as a business question instead of a political question. The greatest need of business today is certainty, but the only thing certain about our tariff is uncertainty."

"The Payne-Aldrich tariff laws must be revised immediately in accordance to these principles."

Abolition of child labor in factories, mills, mines and sweatshops and a plan for old age pensions were included in the Progressive platform by the speaker, who incidentally favored woman suffrage.

"Never doubt that we will solve in righteousness and wisdom every 'problem,'" said Mr. Beveridge to ward the conclusion of his address.

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DO THIS TO SHOW YOU ARE REALLY A BULL MOOSE.

(Special from a Staff Correspondent of The Evening World.)

CHICAGO, Aug. 5.—This is the Bull Moose hailing signal. It was invented on the spur of the moment this morning as the train bearing Col. Roosevelt to his convention rolled into the wilderness of tracks of the Lake Shore yards.

A track walker, laughing so that he stumbled every few steps, ran out into full view of everybody on the west side of the train and gave the grand salute to the chief. This is it: stand on the nose, fork up the right eye, spread both hands with fingers as widely separated as possible, put the right and left thumbs in the right and left ears, respectively, holding the palms of the hands down, and then work both hands outward and upward in a generally branching motion, forward, then, meanwhile holding violently to the rear with the left foot.

The suggestion was adopted with a whoop by the majority of the Bull Moose partisans on the train, but has not yet the sanction of the Boss Bull.

By Northern colored entertainers. It is no Southern black face minstrel show-nix.

The veteran Roosevelt trailer, who has been following the Col. back and forth across this nation for some fourteen years, cannot have escaped a conviction that, next to baseball and the matter of proving that New York City is the wickedest community in the world, the principal outdoor sport of these United States is yelling. "We want our Teddy. Where is he?" and trailing lines of innocent bystanders until he is seen.

But either the sport is on the wane or the observers' sensitiveness to it is becoming dull. Time was when T. R. started out from New York City headquarters to fight back the eager and the curious, who by use of "pull" or by sheer persistence fought their way past the railroad guards to the station platform to look at the Colonel through the window of his compartment.

To the seasoned trailer of the Roosevelt progress, this first indication of the present public interest in the Bull Moose crusade had all the ghastly effect of a lightning bolt striking those horrible scenes when the air should be full of noise and there were only gasps and squeaks.

BEVERIDGE GIVES MOOSES A TALK BEFORE BIG SHOW.

CHICAGO, Aug. 5.—"The first words of the Constitution are 'We are the people,' and they declare that the Constitution's purpose is to form a perfect union and to promote the general welfare." To do just that is the very heart of the Progressive cause," declared Albert J. Beveridge, temporary Chairman of the Progressive National Convention, Mr. Beveridge spoke in part as follows:

"We stand for a nobler America. We stand for an undivided nation. We stand for a broader liberty, a fuller justice. We stand for social brotherhood as against savage individualism. We stand for an intelligent co-operation instead of a reckless competition. We stand for mutual helpfulness instead of mutual hatred. We stand for equal rights as a fact of life instead of catchword of politics. We stand for the rule of the people as a practical truth instead of of meaningless protest. We stand for a representative government that represents the people. We battle for the actual rights of man."

"At the present moment notorious bosses are in the saddle of both old parties in various important States which must be carried to elect a President. Neither of the old parties' nominees for President can discharge the duties of the office. Neither of the old parties' nominees for President can discharge the duties of the office. Neither of the old parties' nominees for President can discharge the duties of the office."

"Under this boss system, no matter which party wins, the people seldom win, but the bosses almost always win."

"We mean to put new business laws on our statute books which will tell American business men what they can do and what they cannot do. The great business reform we must have is to steadily increase American property is to change the method of building our tariffs."

"The tariff must be taken out of politics and treated as a business question instead of a political question. The greatest need of business today is certainty, but the only thing certain about our tariff is uncertainty."

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DEMOCRATS IN DEBT AFTER THE DEFEAT OF BRYAN IN 1908

Norman Mack Says That Was Why Guffey's Rejected Cash Was Finally Accepted.

WASHINGTON, Aug. 5.—Norman E. Mack, Chairman of the Democratic National Committee in 1908, to-day told the Senate Committee investigating campaign funds of that year and also those of 1904, that the only contribution he could remember having rejected was one by Col. J. M. Guffey of Pittsburgh, Pa.

Mr. Mack added that after Mr. Bryan had been defeated, the campaign committee was several thousand dollars in debt and Col. Guffey's contribution was accepted.

A later official report of expenditures which the committee filed at Albany in conformity with the New York State law, Mr. Mack said, was absolutely correct and covered every dollar contributed.

Chairman Clapp asked who were the largest contributors to the 1908 campaign.

"The largest was Mr. Murphy," replied Mr. Mack. "He contributed \$10,000." The books before the Senate Committee show that such a sum was contributed in the name of Tammany Hall.

Senator Clark of Montana, contributed \$2,000 to the Chicago headquarters and I think about \$5,000 to the New York headquarters," Mr. Mack added. "Several people offered funds, but they were refused, and they have rather passed out of my mind."

"Why were they refused?" asked Senator Clark.

"You probably suspect why," returned Mr. Mack. "I was at Denver at the convention and on the way home stopped at Lincoln to talk with Mr. Bryan. He then and later said that he did not want contributions from corporations. It was his fight and his campaign and I felt I should keep faith with him and not accept any offer from a corporation or other source that I would not have taken."

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CANNON GIVES LIE TO CONGRESSMAN FROM ALABAMA

"Unqualifiedly Untrue," Says Ex-Speaker After Alabama Man Refuses to Retreat.

WASHINGTON, Aug. 5.—The lie was passed on the floor of the House to-day when former Speaker Cannon denounced as "unqualifiedly untrue" a charge by Representative Burnett of Alabama, Democrat, that when Speaker of the House Mr. Cannon had deliberately led his followers from the chamber to break a quorum, and in that way defeat immigration legislation.

Before impeaching Mr. Burnett's veracity, Mr. Cannon twice asked him to retract. There was no outbreak.

Later in the day during a struggle in the House over a bill giving the Secretary of the Interior power to exchange land for school sections in the Indian reservation and which is backed by the California Legislature, Representative Raker passed the lie to Minority Leader Mann.

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